

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

(1) JANICE BUSH, as
Special Administrator for the
Estate of Ronald Garland,
deceased,

Plaintiff,

v.

(2) BRET BOWLING, in his official
And individual capacity as Sheriff
Creek County, Okla. *et al.*

Defendants.

Case No.: 19-cv-00098-JFH-CDL

**PLAINTIFF'S MOTION APPROVING APPORTIONMENT OF SETTLEMENT
PROCEEDS AND APPROVING AMOUNT OF ATTORNEY FEES AND COSTS**

Plaintiff Janice Bush, as Special Administrator for the Estate of Ronald Garland, respectfully moves the Court to apportion and distribute the money received from the settlement in this case as provided for by 12 O.S. §1053. In support of this motion, the Plaintiff states:

I.

On August 9, 2017, Janice Bush was appointed Special Administer of the Estate of Ronald Garland in Case No. PB-2017-23 in the District Court in and for Pawnee County, State of Oklahoma.

II.

On June 8, 2018, Janice Bush, as Special Administrator of the Estate of Ronald Garland filed a Civil Rights lawsuit in this Court arising from the death of Ronald Garland occurring on or about June 10, 2017. The claims against the Board of County Commissioners

of Creek County, Brett Bowling, in his individual and official capacity as Sheriff of Creek County, Christopher Fetters, Jeffery Labbee, and Brandon Fulks resolved with the assistance of U.S. Magistrate Judge Jayne in the amount of \$750,000.00. The claims against Turn Key Health Clinics and Kerri Janes resolved with the assistance of U.S. Magistrate Judge Jayne in a confidential amount. *See Exhibit 1, Settlement amount and distribution of costs and fees, filed under seal.*

III.

The Plaintiff in this lawsuit is represented by counsel of record for Plaintiff. Counsel of record performed legal services on behalf of the Plaintiff through a contingent fee contract and advanced the necessary costs to retain consultants, experts and conduct extensive discovery, including numerous depositions, which ultimately culminated in a resolution of this claim.

IV.

Ronald Garland was a single man upon his death and left surviving him as his sole heir, Janice Bush.

V.

As provided for by 12 O.S. §1053, the Plaintiff requests that the apportionment of settlement money be made by the Court in a fair and equitable manner and that the Court approve attorney fees consistent with the 50% contingent fee contract.

VI.

The Plaintiff requests that the apportionment of settlement money be made by the Court in a fair and equitable manner and that the Court approve the advanced costs of all counsel of record consistent with the contingent fee contract, with the costs paid prior to division of the net proceeds consistent with 5 O.S. § 7. *See Exhibit 1, filed under seal. (Doc. No. 375).*

VII.

The Plaintiff requests the Court approve the settlement and Order disbursement consistent with Plaintiff's motion.

WHEREFORE, the Plaintiff prays the Court approve the settlement of this case and order distribution of the settlement proceeds as provided for by 12 O.S. §1053 and to approve the amount of attorney fees and costs;

Respectfully submitted,

BRYAN & TERRILL

s/Steven J. Terrill
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CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2021, a true and correct copy of the foregoing document was sent to all individuals by cm/ecf notice.

s/Steven J. Terrill

Steven J. Terrill